

Witness Statement

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

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Statement of: **Robert Hubbard-Clark**Age if under 18 (if over insert "over 18"): **Over 18**Occupation: **Police Constable P853**

This statement (consisting of3..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: Date: **14/10/2018**

This statement relates to the arrest of [REDACTED] date of birth [REDACTED] on suspicion of Drunk and Disorderly in a Public Place Section 91 of Criminal Justice Act 1967.

I am the above named Police Constable stationed at Newbury Police Station Mill Lane Newbury.

On Saturday the 6th of October 2018 I was on duty in full uniform high vis jacket and custodian helmet working a tour of duty from 21:00hrs till 07:00hrs in crew PC 5648 COLLINGS on foot patrol covering the night time economy in Newbury town centre.

At around 04:00hrs I was stood across the road from The WALKABOUT Public House on CHEAP STREET NEWBURY by the bus stop when my attention was drawn to a young male being asked to leave the venue by door staff he around six foot tall slim build wearing a light coloured top and jeans.

I stood watching him for a few minutes he was swaying back and forth and was clearly drunk by his stance and his large hand and arm movements he was making.

I was fifteen yards away from him and the member of door staff and could hear the member of door staff politely explaining to the male that he had been removed due to how drunk he was and that he could not re-enter and that he needed to go home and come back in the morning and collect his jumper.

The male started to get aggressive and stood tall over the member of door staff he was leaning forwards towards them his face and attention fully on them and shouted "I DON'T GIVE A FUCK, I WANT MY JUMPER", and started to wave his arms around.

To stop the situation from escalating I crossed the road stood in-between them and asked the male for his name and said his name was [REDACTED]

I asked him to stop swearing to calm down and to move away from the entrance and talk to me.

[REDACTED] agreed and walked a little further away from the entrance I told him that he had been asked to leave due to how drunk he was and that he could come back in the morning to get his jumper and that he could not go back in and get the jumper in question.

[REDACTED] was very unsteady on his feet rocking back and forth he smelt very strongly of intoxicating liquor his eyes were blood shot he was very drunk.

[REDACTED] started off being hostile and aggressive and was shouting at me that he needed his jumper and repeated over and over and that it meant more to him than it did to me he was slurring his words. It was clear that [REDACTED] was past the ability of normal communication and was focused on getting his jumper back.

Signature: Signature Witnessed by: **N/A**

Witness Statement

Continuation of Statement of Robert Hubbard-Clark

I told [REDACTED] a number of times that he was drunk that he would not be let back into the WALKABOUT and that he needed to go home and come back in the morning each time I told him that he could not get it back he shouted loudly "I DON'T GIVE A FUCK" which he repeated a number of times.

It was clear that [REDACTED] was not processing what I was telling him due to his intoxication he would not listen to reason.

I warned [REDACTED] that I will arrest him for Drunk and Disorderly if he carried on shouting and swearing that his language and aggressive behaviour will not be tolerated.

I asked [REDACTED] if he had a ticket for the jumper if he had booked it into the cloakroom or had he left it in the main bar area on a chair, I was trying my best to help him out however [REDACTED] could not remember and said that it was a black Primark jumper.

After my warning [REDACTED] stated to calm down he said that he was sorry and that he was being silly and that he would come back in the morning and get his jumper, [REDACTED] shook my hand and said that he would walk home.

I did not think anything further of matter however about twenty minutes later I was again stood across the road back at the bus stop and could see [REDACTED] walking with pace back towards the WALKABOUT from the direction of Newbury Train Station.

I suspected that [REDACTED] was going to try and re-enter the WALKABOUT to get this jumper and that there could be an altercation as he was very drunk and had been aggressive towards door staff not moments before hand.

I crossed the road and as [REDACTED] was level with me I asked him why he had come back and he said "I WANT MY JUMPER".

[REDACTED] was angry and said this in a direct and aggressive way, I told him again that door staff are aware of the jumper and that he still could not go in and get it and that he could not tell me where it was that I could not get anyone to go and find it and reminded him that he needed to go home.

[REDACTED] placed his arm around my shoulders and was again swaying around and lent forward and shouted very loudly "I DON'T GIVE A FUCK I WANT MY JUMPER, FUCK OFF" and started to get aggressive again.

I took hold of his arm and removed it from my shoulders as he again was getting aggressive this movement knocked my helmet off my head, I caught hold of it and placed it back on and took hold of [REDACTED] and at 04:20hrs I arrested him for Drunk and Disorderly and cautioned him [REDACTED], I restrained [REDACTED] and placed him in handcuffs behind his back.

I stated to him that his arrest to prevent injury to himself or another and to prevent any further offence to public decency and to allow a prompt and effective investigation into the offence.

By this time PC 5648 COLLINGS came and assisted me in keeping control of [REDACTED] as he was pulling away from me and was hard to control. [REDACTED] was now shouting again "FUCK OFF, FUCK OFF, I DON'T CARE, I WORK HARDER THAN YOU I WORK FOUR DAYS A WEEK FUCK OFF".

Signature: 

Signature Witnessed by: N/A

Witness Statement

Continuation of Statement of **Robert Hubbard-Clark**

It was a very busy night in the town centre and there was no Police transport to pick [redacted] up from the town to take him to custody so I and PC 5648 COLLINGS started to walk [redacted] back towards Newbury Police Station as he was being aggressive and abusive.

As we approached KFC on the approached to Newbury Police Station SGT 5595 CROFT came from the Police Station with a Police van and [redacted] was placed inside and transported back to Newbury Police.

[redacted] was crying one moment then shouting and being aggressive the next it was clear to me that he had lost all control of his behaviour due to his intoxication and acting in a disorderly manor and without my arrest he would carry on posing risk to himself and others in the town.


Once in the airlock of Newbury custody [redacted] started to settle down and reflected on his behaviour and said that he was sorry for being silly and that he had too much to drink and why do they sell alcohol.

It was a very busy night in custody with only one cell left in Newbury custody, Now [redacted] had started to be calm and posed no further risk to himself or the public and with him identifying his home address I spoke with the custody sergeant and explained why he had been arrested however I could de arrest him as he had calmed down and could take him home and leave him in care of his father and issue him with a fixed penalty notice for disorder.

I explained to [redacted] that I would take him and issue him with a penalty notice. On the drive back [redacted] gave his home address at [redacted] not [redacted] which was on his ID and was still being abusive by telling me that he did not give a fuck. I was close to re arresting him however he did calm down once back home.

At 05:15hrs I de arrested [redacted] and took him home. [redacted] was given a number of chances to go home on the night in question however he re attended the WALKABOUT after agreeing to go home, he had become abusive and aggressive with me twice and door staff.

Without his arrest I believe that that his behaviour would not stop from escalating to the point where I felt he could assault someone or be assaulted himself due to this conduct and behaviour. I was more than fair with [redacted] and tried to assist him the best I could.

Signature: 

Signature Witnessed by: N/A